

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. §1.111

A. Status of the Claims

Claims 10-32 were pending in the case at the time of the Action. Claims 20, 25 and 26 have been amended and claims 33-35 added herein. New claims 33-35 contain the limitations previously found in claim 25, which was amended to delete multiple dependencies. No new matter is added by the amendments. Claims 10-35 are now pending and presented for reconsideration.

B. Claims Objections

Claims 20 and 26 were objected to under 37 C.F.R. § 1.75(c) as being in improper multiple dependent form for not referring to other claims in the alternative only. In response, it is noted that the objection is moot in light of the amendments to claims 20 and 26. The amendments do not narrow the claims and thus Applicants do not intend to disclaim any subject matter by the amendments.

Claim 25 is objected to under 37 C.F.R. § 1.75(c) as being in improper multiple dependent form for depending upon another multiple dependent claim. In response it is noted that claim 25 has been amended herein to delete the multiple dependencies and the corresponding limitations have been placed in new claims 33-35. The objection is therefore now moot. The amendment does not narrow the claims and thus Applicants do not intend to disclaim any subject matter by the amendment.

In view of the foregoing, removal of the objections is respectfully requested.

C. Rejection of Claims Under the Judicially-Created Doctrine of Obviousness-Type Double Patenting

The Action has rejected claims 10-19, 21-24 and 27-32 under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 5,484,956 in view of Adang (U.S. Patent No. 5,380,831); and claims 20-51 and 57-58 of Application No. 07/508,045 (now U.S. Patent No. 5,484,956). In response Applicants note that, while the latter rejection should be moot by virtue of the issuance of the corresponding patent without the referenced claims, both rejections are moot in view of the attached terminal disclaimer over U.S. Patent No. 5,484,956. Removal of the rejections is thus respectfully requested.

D. Conclusion

In light of the foregoing, applicants submit that all claims are in condition for allowance, and an early indication to that effect is earnestly solicited. The examiner is invited to contact the undersigned (512)536-3085 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



Robert E. Hanson
Reg. No. 42,628
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

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